

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

Petitioner, :

-against- :

Case No: 11 CV 01590-LTS-HBP

NOVA GROUP, INC., AS TRUSTEE, NAMED :
FIDUCIARY, PLAN SPONSOR AND :
ADMINISTRATOR OF THE CHARTER OAK :
TRUST WELFARE BENEFIT PLAN,

Respondent.
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CLARIFICATION TO DECLARATION OF PAULA K. COLBATH

PAULA K. COLBATH, an attorney admitted to practice law in the Courts of the State of New York, declares the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I submit this Declaration to clarify a statement made in my March 25, 2011 Declaration, ¶ 15.

2. On March 25, 2011 I submitted a Declaration in support of Universitas Education, LLC's Opposition to Respondent Nova Group's Inc.'s Motion to Dismiss or Transfer. In that Declaration, I stated that the District of Connecticut had not issued a Scheduling Order or set deadlines in the parallel Connecticut action in which Nova Group, Inc. seeks to vacate the arbitration award.

3. On March 31, 2011, I reviewed the docket in the District of Connecticut

action, and found that on March 3, 2011, the Connecticut Court had in fact issued an “Order on Pretrial Deadlines.” I had not previously seen this Order, and was not aware of it when I filed my Declaration in this action on March 25, 2011.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
March 3, 2011



PAULA K. COLBATH